

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION

IN RE:

TSR, LLC

CASE NO: 23-01577-5-DMW

DEBTOR

CHAPTER 7

TRUSTEE'S APPLICATION TO EMPLOY ATTORNEY

The undersigned Trustee, pursuant to Section 327 of the Bankruptcy Code and Bankruptcy Rule 2014, applies to the court for authority to employ an attorney and for authority to act as attorney for the bankruptcy estate in his own behalf, and respectfully shows in support thereof:

1. The undersigned is the Trustee in the above bankruptcy case.
2. It is necessary for the Trustee to employ an attorney for the following general reasons:

To assist in identifying the legal problems which may arise in the administration of the estate, to examine security agreements, deeds of trust and other instruments which may constitute liens upon the property of the estate, to identify and examine any statutory or judicial liens, to determine the validity and priority of all such security agreements, liens and encumbrances, to investigate any additional assets and any rights which the Trustee may have to property of the estate, to examine and research all legal problems which may arise in the administration of the estate, and to generally advise and represent the Trustee upon any legal matters which may arise in the course of the administration of the bankruptcy estate.

3. It is also necessary for the Trustee to employ an attorney for the following specific reasons:

- (a) To carefully examine the real estate records, intellectual property records and tax records to determine what property constitutes part of the bankruptcy estate.

- (b) To examine the Debtor's books and records and to investigate any recent payments and transfers of property made by the Debtor to any third party or insider.

4. The Trustee proposes to employ John C. Bircher III and the law firm of Davis Hartman Wright LLP ("DHW") (collectively the "Firm") as attorney on his own behalf so far as may be practical and beneficial to the Estate. The Firm will perform those tasks enumerated in paragraphs 2 and 3 above.

5. The attorneys of DHW have had wide legal experience in bankruptcy matters and will be able to adequately handle all legal matters involving the bankruptcy estate. It will be in the best interest of the estate for the Trustee and his firm to serve as attorney in his own behalf.

6. That compensation for legal services as attorney for the estate be allowed on a reasonable basis, in such amount as determined by the court, after or during the performance of such services, on an interim or final basis and after application for such compensation.

7. The proposed Firm and its attorneys have no connection with the Debtor, the creditors or any other party in interest, their respective attorneys or accountants, in connection with this bankruptcy estate, and the proposed firm and its attorneys do not hold or represent any interest adverse to the estate, is a disinterested person as set forth in Section 327 of the Bankruptcy Code to be employed as attorney for the estate.

8. The Trustee has reviewed the Schedules filed in this case and based upon the information contained in the Schedules represents the following:

The value of the Debtor's assets is: \$0.00

The amount of the Debtor's liabilities is: \$384,941.99

WHEREFORE, the Trustee requests that he be authorized to employ and retain John C. Bircher III and the law firm of Davis Hartman Wright LLP as attorney for the Estate and for such compensation as may be approved by the Court.

Dated: July 19, 2023

s/John C. Bircher III
John C. Bircher III
N.C. State Bar No. 24119
DAVIS HARTMAN WRIGHT LLP
209 Pollock Street
New Bern, NC 28560
Telephone/Fax: (252) 262-7055
Email: jcb@dhwlegal.com

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AFFIDAVIT

John C. Bircher III of the firm Davis Hartman Wright LLP being first duly sworn, deposes and says in connection with the attached Trustee's application for authority to employ attorney:

1. I am an attorney of the firm Davis Hartman Wright LLP, am licensed to practice law in the United States Bankruptcy Court for the Eastern District of North Carolina and presently serving as Trustee in the above bankruptcy estate.

2. The law firm of Davis Hartman Wright LLP does not hold or represent any interest adverse to the bankruptcy estate. Davis Hartman Wright LLP is a disinterested person as contemplated under Section 327(a) of the Bankruptcy Code and it will be in the best interest of the estate that Davis Hartman Wright LLP serve as attorney for the estate.

3. The law firm of has no business, professional or other connection with the Debtor, creditors or any other party in interest, their respective attorneys or accountants.

4. The law firm of Davis Hartman Wright LLP is experienced in the matters upon which they are to be employed.

Dated: July 19, 2023

s/John C. Bircher III
John C. Bircher III

IN THE STATE OF NORTH CAROLINA
IN THE COUNTY OF CRAVEN

SWORN to and subscribed before me
This 19th day of July, 2023

s/Alice C. Weiss
Alice C. Weiss, Notary Public
My Commission Expires: 11/25/27

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that he is over eighteen (18) years of age and the TRUSTEE'S APPLICATION TO EMPLOY ATTORNEY was this day served upon the below named persons, parties and/or counsel by mailing, postage prepaid, first class mail, a copy of such instruments to such persons, parties and/or counsel at the address shown below:

Brian C. Behr
Bankruptcy Administrator
(via CM/ECF)

Algernon L. Butler, III
Attorney for the Debtor
(via CM/ECF)

TSR, LLC
Attn: Justin W. LaNasa, Manager
208 South Front Street, Unit 3
Wilmington, NC 28401

Dated: July 19, 2023

s/John C. Bircher III
John C. Bircher III
N.C. State Bar No. 24119
DAVIS HARTMAN WRIGHT LLP
209 Pollock Street
New Bern, NC 28560
Telephone/Fax: (252) 262-7055
Email: jcb@dhwlegal.com